JL - 0322 worksheet-inventory appeal HW 8/22/78

Today you said that your opposing counsel has some subject interest, not believing the official mythology - which you did not quote him as calling mythology.

If you take up with him, separate from any appeal sense, the last item I cite in the appeal he may be able to get a faint peak at one of the small stones that make the mountain of non-compliance. Of course I do not suggest that you'll be able to subvert him - or even try to. Merely that a little fact may make it easier all around, including for him if this gets litigated. He has filed some remarkably unfactual records and affidavits. It is not a bit too soon for him to get some acquaintance with fact.

While it is a pun for about a decade I've had what I call a "third man" file, a third man (if not more than a third) in the N.O. literature distributions alone. Oswald and Charles Hall Steele, Jr., are known. Another or others are not and are known to exist. The FBI's files reflect this, those not used by the Commission or the FBI. Years ago Paul Hoch also did a considerable amount of exploration of the same general subject.

Johann Rush is the photographer who covered LHO at the ITM the week after the bust. After the assassination he made 17 prints from his footage. The FBI also got the footage, to make copies they told WDSU. Well, of the Rush prints there are two in the Archives and the Commission's records. The third, printed, was from WWL film. But FBI agents showed as many as six prints at a time in N.O. And they broke off their investigation at the point where it would have produced a rebuttal of Clay Shaw's later alibi at the trial. (I carried this forward and have several taped interviews.) And both the then WDSU news director and Jesse Core (name obliterated by FBI after publication by Warren Commission) told me that the film the FBI returned was edited. Jesse, for example, was in it before the FBI got it and not after the FBI returned it. Then News Director Ed Planer confirmed this. He and Jesse saw the film as soon as LHO was identified on the station's Movieola and Jesse was it it. With this third man. (Jesse and I became friendly. He was a p.r. man, for the ITM and for Garrison's first campaign.)

I have a number of other witnesses to such a person, my own, not the FBI's.

Oswald's literature distribution also was much more extensive that the Report lets anyone know. Steele was with him but one time and then for a few minutes only. He told me of this other person, as I think he may have testified. It took long effort to get the Secret Service wrapper for its copy of the WDSU film. And it says there was one besides LHO and Steele.

There is no guarantee that the print on the Wasp leaflet is that of an Oswald associate but that is the best probability because the cop got the flyer from the hand. If not Oswald's most likely another's. So the identification of the print, if not Oswald's, was always important. Very important in any exploration of any kind of conspiracy or any kind of association. I think there is virtually no chance that the FBI did not undertake to identify it whether or not it made any distribution of any identification. (It never xg gave the N.O. cops or the Commission and the Commission appears not to have asked for any.)

Of course I know more than this, as I'm sure PH does because my knowledge of his knowledge is as of about 10 years ago. My purpose here is limited to enabling you to give Metcalfe an explanation that I think he can comprehend and see why it would be better not to have to litigate what would require me to make an adequate record in court. On prints there is no point in the HQ agents saying they have no record. All are sent to HQ for identification. This identification, if never sent to Dallas, should be in HQ and in the NO files. It was pre-assassination and should have been of post-assassination interest.